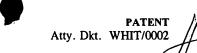


COPY OF PAPERS ORIGINALLY FILED



COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

[X]	original
[]	divisional
ĺ	continuation
[]	continuation-in-part

This declaration is of the following type:

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Root Growth Barrier and Method

SPECIFICATION IDENTIFICATION

The specification of which:

[]	filed l	herewith;	•					
[X]	was f	iled on Octob	er 29, 2	2001, under	Serial	No. 10/0	075,096;	
	Expre	ss Mail No			_ (Se	rial No. 1	not yet known)	
	and w	as amended o	on		(i	f applica	ble)	
[]	was	described	and	claimed	in	PCT	International	Application
	No			filed on			and as amend	ed under PCT
	Artic	le 19 on		·				

PATENT Atty. Dkt. WHIT/0002

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

[] In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

[X]	No such applications have been filed.

[] Such applications have been filed as follows:

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. §119

Country/PCT	Application No	Date Filed	Priority Claimed
			[] Yes [] No [] Yes [] No [] Yes [] No

B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to this U.S. application

Country:

Application No:

Filing date:

I hereby claim the benefit under 35 USC 119(e) of any United States Provisional application(s) listed below:

Application No.

Filing Date

PRIORITY CLAIM (35 U.S.C. §120)

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

[X] Nos	No such applications have been filed			
[] Such application have been filed, as follows:				
			Status	
Serial No.	Filing Date	Patented	Pending	Abandoned

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Jeffrey L. Streets	Registration No. 37,453
Patrick K. Steele	Registration No. 39,844
Frank J. Campigotto	Registration No. 48,130

Date: May 7, 2002

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: Dr. Carl E. Whitcomb

Inventor's signature:

Residence:

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Stillwater, OK 74075

Post Office Address: same as above

Country of Citizenship: USA

(Declaration ends with this page)